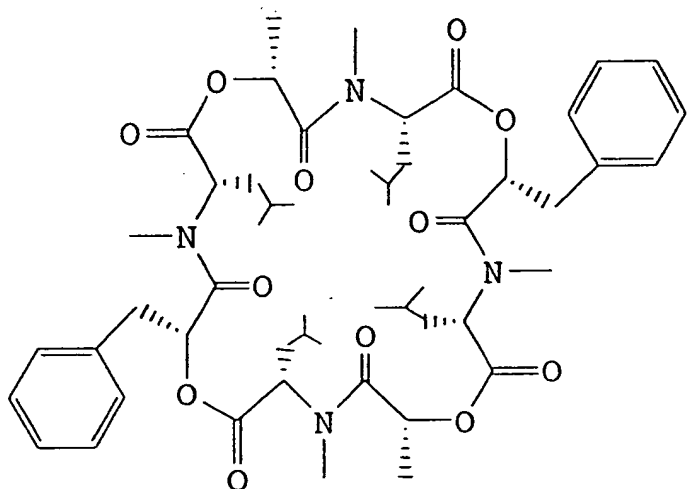


AMENDMENTS TO THE CLAIMS

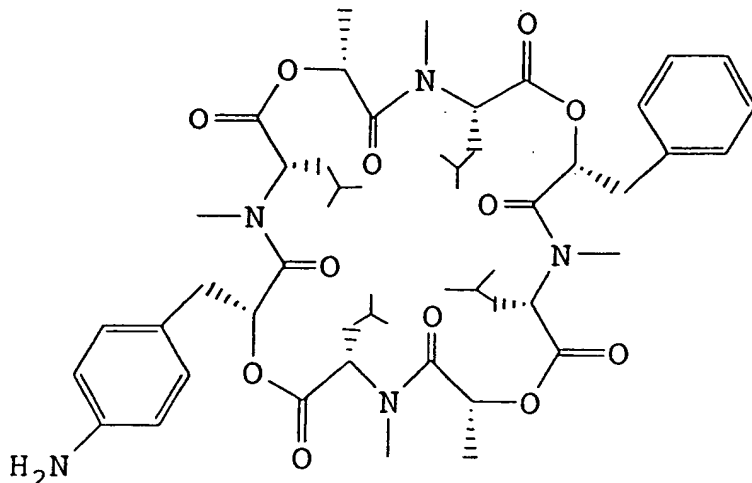
1. **(Currently amended)** A transformant of a microorganism ~~producing a peptide or a depsipeptide~~, wherein ~~the transformant is produced by transforming the microorganism is transformed~~ by introducing (i) a polynucleotide encoding the amino acid sequence of SEQ ID NO: 2, (ii) a polynucleotide encoding the amino acid sequence of SEQ ID NO: 4, and (iii) a polynucleotide encoding the amino acid sequence of SEQ ID NO: 6, into the microorganism,

wherein the microorganism to be transformed produces a peptide or a depsipeptide, which is substance PF1022 ([cyclo (D-lactyl-L-N-methylleucyl-D-3-phenyllactyl-L-N-methylleucyl-D-lactyl-L-N-methylleucyl-D-3-phenyllactyl-L-N-methylleucyl)]) represented by the following formula:



, and

so that wherein the transformant produces a peptide or a depsipeptide having a benzene ring skeleton substituted at the para-position with a nitro group or amino group: a derivative of substance PF1022 represented by the following formula:



2-4. (Cancelled)

5. (Previously presented) The transformant according to claim 1, wherein the peptide or the depsipeptide is synthesized from at least one molecule selected from the group consisting of phenylalanine, tyrosine, and phenyllactic acid.

6-16. (Cancelled)

17. (Previously presented) The transformant according to claim 1, wherein the microorganism is transformed by introducing polynucleotides comprising: (i) the DNA sequence of SEQ ID NO: 1, (ii) the DNA sequence of SEQ ID NO: 3, and (iii) the DNA sequence of SEQ ID NO: 5 into the microorganism.

18. (Cancelled)

19. (Previously presented) The transformant according to claim 1, wherein the microorganism to be transformed is Mycelia sterilia.

20. (Previously presented) The transformant according to claim 19, wherein Mycelia sterilia is strain PF1022 deposited with the National Institute of Bioscience and Human-Technology under an accession number of FERM BP-2671.

21. (Previously presented) The transformant according to claim 1, wherein the transformant is strain 55-65 deposited with the National Institute of Bioscience and Human-Technology under an accession number of FERM BP-7255.

22. (Cancelled)

23. (Withdrawn-Currently amended) A method for producing a peptide or a depsipeptide having a benzene ring skeleton substituted at the para-position with a nitro group or amino group, which comprises ~~the steps of:~~

culturing the transformant of claim 1 under conditions suitable for production of the peptide or the depsipeptide, and

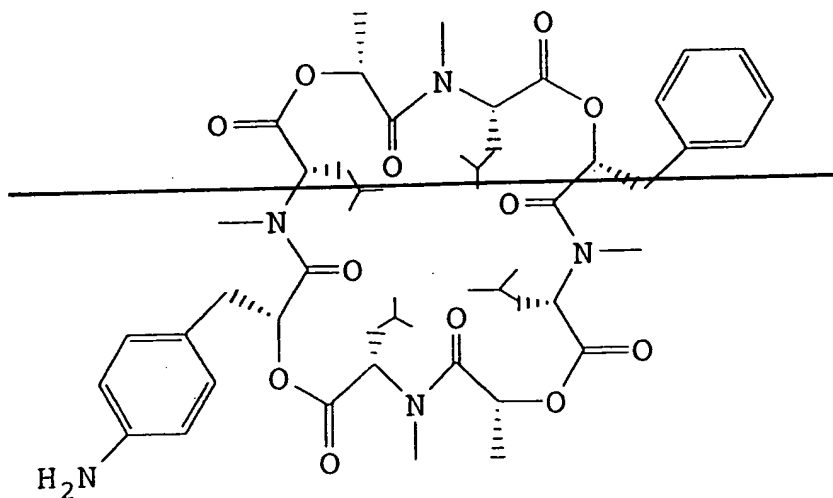
collecting the ~~the~~ peptide or the depsipeptide.

24. (Cancelled)

25. (Withdrawn-Currently amended) A method for producing a substance PF1022 derivative, which comprises ~~the steps of:~~

culturing the transformant of claim 6 1 under conditions suitable for production of the substance PF1022 derivative, and

collecting the substance PF1022 derivative ~~of the following formula:~~



26. (Previously presented) An isolated polynucleotide encoding the amino acid sequence of SEQ ID NO: 2.

27. (Original) The polynucleotide according to claim 26, which comprises the DNA sequence of SEQ ID NO: 1.

28. (Previously presented) An isolated polynucleotide encoding the amino acid sequence of SEQ ID NO: 4.

29. (Previously presented) The polynucleotide according to claim 28, which comprises the DNA sequence of SEQ ID NO: 3.

30. (Previously presented) An isolated polynucleotide encoding the amino acid sequence of SEQ ID NO: 6.

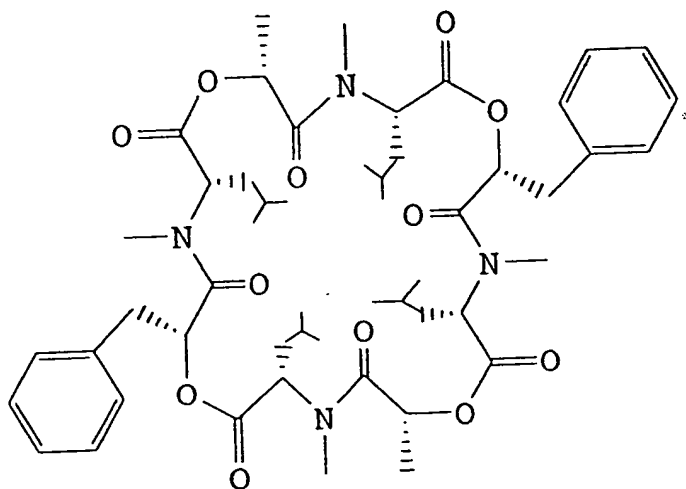
31. (Previously presented) The polynucleotide according to claim 30, which comprises the DNA sequence of SEQ ID NO: 5.

32. (Currently amended) The transformant according to claim 6 1, wherein substance PF1022 is synthesized by a substance PF1022-synthesizing enzyme from four molecules of L-leucine, two molecules of D-lactic acid and two molecules of D-phenyllactic acid.

33. (Currently amended) A transformant of Mycelia sterilia, wherein the transformant is produced by transforming the Mycelia sterilia by introducing (i) a polynucleotide encoding the amino acid sequence of SEQ ID NO: 2, (ii) a polynucleotide encoding the amino acid sequence of SEQ ID NO: 4, and (iii) a polynucleotide encoding the amino acid sequence of SEQ ID NO: 6.

34. (Previously presented) The transformant according to claim 33, wherein Mycelia sterilia is transformed by introducing polynucleotides comprising (i) the DNA sequence of SEQ ID NO: 1, (ii) the DNA sequence of SEQ ID NO: 3, and (iii) the DNA sequence of SEQ ID NO: 5 into the Mycelia sterilia.

35. (Previously presented) The transformant according to claim 33, wherein the Mycelia sterilia to be transformed produces a substance PF1022 ([cyclo (D-lactyl-L-N-methylleucyl-D-3-phenyllactyl-L-N-methylleucyl-D-lactyl-L-N-methylleucyl-D-3-phenyllactyl-L-N-methylleucyl)]), represented by the following formula:



36. (Previously presented) The transformant according to claim 35, wherein substance PF1022 is synthesized by a substance PF1022-synthesizing enzyme from four molecules of L-leucine, two molecules of D-lactic acid and two molecules of D-phenyllactic acid.

37. (Previously presented) The transformant according to claim 33, wherein the transformant produces a substance PF1022 derivative represented by the following formula:

